

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

Filing Date:

Applicant: Moores et al

Group Art Unit: 1745

Examiner: Stephen J. Kalafut

Title: BATTERY COOLING SYSTEM

Attorney Docket: 0275D-000214COC

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. ____ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cross-referenced pending U.S. application listed below in Section IV, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. XX Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

09/992,633
09/035,586

U.S. Filing Date

November 19, 2001
March 5, 1998

C.____ Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

D.____ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. If the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A.____ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B.____ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

- 1.____ See the attached foreign patent office communication from a counterpart foreign application.
- 2.____ English translations are provided.
- 3.____ Other:

C. ____The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A.____The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

A. **37 C.F.R. § 1.97(b):** (check only one box)

1. within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.
2. within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.
3. XX before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
4. before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. **37 C.F.R. § 1.97(c):** (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
2. See the certification below. No fee is required.

C. **37 C.F.R. § 1.97(d):**

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

- A. each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application

not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F. R. 1.704(d) below in section VII, if applicable; or

B. ____ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ____ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 CFR 1.704(d)

The undersigned hereby states that:

____ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

A. ____ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. ____ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: March 16, 2004

By


W. R. Duke Taylor
Reg. No. 31,806

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<p>FORM HDP-1449 (Based on Form PTO-1449)</p> <p>PATENT AND TRADEMARK OFFICE</p> <p>INFORMATION DISCLOSURE CITATION</p> <p>(Use several sheets if necessary)</p> <p>Sheet 1 of 3</p>	ATTORNEY DOCKET NO.	SERIAL NO.
	0275D-000214/COC	
	APPLICANT	
	Moores et al.	
	FILING DATE	GROUP
		1745

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		1,036,063	8/1912	Bedell et al.		
2.		1,152,247	8/1915	Walker		
3.		2,104,772	1/1938	Saunders		
4.		3,767,468	10/1973	Schusler		
5.		4,107,402	8/1978	Dougherty et al.		
6.		4,517,263	5/1985	Reiss et al.		
7.		4,522,898	6/1985	Esrom		
8.		4,847,513	9/1979	Katz et al.		
9.		5,204,609	4/1993	Alisauki		
10.		5,229,702	7/1993	Boehling et al.		
11.		5,447,807	9/1995	Peled et al.		
12.		5,456,994	10/1995	Mita		
13.		5,480,734	1/1996	Schulz et al.		
14.		5,799,739	9/1998	Takaada et al.		
15.		5,866,276	2/1999	Ogami et al.		
16.		6,049,191	4/2000	Terazoe et al.		
17.		6,066,938	5/2000	Hyodo et al.		
18.		6,455,186	9/2002	Moores, Jr. et al.		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 2 of 3

ATTORNEY DOCKET NO.

SERIAL NO.

0275D-000214/COC

APPLICANT

Moore et al.

FILING DATE

GROUP

1745

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes No	
1.		DE4029018	3/1992	Germany			
2.		DE4327391	2/1995	Germany			
3.		EP0920105	6/1999	EPO			
4.		JP 56-88267	7/1981	Japan			
5.		JP 56-126270	10/1981	Japan			
6.		JP 56-126271	10/1981	Japan			
7.		JP 57-156635	9/1982	Japan			
8.		JP 58-19879	2/1983	Japan			
9.		JP 58-164150	9/1983	Japan			
10.		JP 59-92545	6/1984	Japan			
11.		JP 60-38043	3/1985	Japan			
12.		JP 60-187456	12/1985	Japan			
13.		JP 62-119131	7/1987	Japan			
14.		JP 63-120534	8/1988	Japan			
15.		JP 63-287331	11/1988	Japan			
16.		JP 4-236134	8/1992	Japan			
17.		JP 5-37634	9/1993	Japan			
18.		JP 5-326024	12/1993	Japan			
19.		JP 6-150978	5/1994	Japan			
20.		JP 6-54209	7/1994	Japan			

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 3 of 3	ATTORNEY DOCKET NO.	SERIAL No.
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	Moores et al.	
	FILING DATE	GROUP
		1745

FOREIGN PATENT DOCUMENTS								
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes No		
21.		JP 7-101297	4/1995	Japan				
22.		JP 7-322490	12/1995	Japan				
23.		JP 8-140272	5/1996	Japan				
24.		JP 09259940	2/1997	Japan				
25.		JP 9-63656	3/1997	Japan				
26.		JP 10-3950	1/1998	Japan				
27.		JP 8-185899	7/1996	Japan		Abstract		
28.		JP 8-185898	7/1996	Japan		Abstract		
29.		JP 11-122829	4/1999	Japan		Abstract		
30.		EP 0 681 156	3/1995	EPO		Abstract		
31.		WO 00/36969	6/2000	WIPO				
32.		DE 4234231	4/1994	Germany		Abstract		
33.		EP 0 649 208	4/1995	EPO				
34.		DE 4029018	3/1992	Germany		Abstract		
35.		EP 0 593 869	8/1993	EPO		Abstract		
36.		DE 3242901	5/1984	Germany		Abstract		
37.		DE 3247969	6/1984	Germany		Abstract		
38.		WO89/08345	9/1989	WIPO				

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.